

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHRISTOPHER L. DECOTEAU,

4:14CV3165

Plaintiff,

v.

**MEMORANDUM
AND ORDER**

ROBERT HOUSTON, MICHAEL
KENNEY, Director, RANDY KOHL,
Medical Director, DIANE SABAKA
RHINE, Warden, CHRISTINA
FERGUSON, Doctor, CHARLES
COREN, Eye Clinic, and
KHRYSTYNA DORITY,

Defendants.

This matter is before the court on Plaintiff's "Motion to Attach Exhibits to Amendment" (Filing No. [21](#)), which the court construes as a motion for leave to amend his Complaint. Under the local rules of this court, any party who moves for leave to amend a pleading, including a request to add parties, must attach a copy of their proposed amended pleading to the motion to amend. [NECivR 15.1](#). Plaintiff did not comply with this requirement. While the court may consider amended pleadings as supplemental to the original pleading in pro se cases, *see* [NECivR 15.1\(b\)](#), this case has now proceeded to service so the court will not permit the piecemeal filing of supplemental pleadings in this case.

Plaintiff also asks the court to send him a copy of his motion and exhibits. This court's local rules provide, in relevant part:

(f) Official Record. The clerk does not maintain a paper court file in any case unless required by law or local rule. When a document is filed electronically, the official record is the electronic recording of the

document as stored by the court, and the filing party is bound by the document as filed.

(1) Documents Filed Nonelectronically. The official record also includes documents filed nonelectronically under local rule.

(2) Original Documents Scanned and Discarded. The clerk scans and discards original documents brought to the clerk for filing unless the document's size or nature requires that it be kept in a paper format. An attorney who wishes to have an original document returned after the clerk scans and uploads it to the System may, before submitting the document to the clerk, ask the assigned judge for written authorization for the document's return. Authorization is granted on a case-by-case basis. The court does not allow blanket authorizations for the return of all original documents filed by an attorney or office.

(3) Copies of Filings. A party who requests a copy of a paper document submitted for filing must, at the time of filing, supply the clerk's office with the copy and, if the return is to be made by mail, a self-addressed, stamped envelope.

[NECivR 5.1\(f\)](#).

Here, Plaintiff did not ask the undersigned judge for the return of his original documents prior to submitting them to the clerk's office for filing. In addition, Plaintiff did not provide a self-addressed, stamped envelope for the return of his original documents. In addition, Plaintiff did not submit payment for the cost of making copies, and Plaintiff does not have the right to receive copies of documents without payment, even if the court granted him leave to proceed in forma pauperis. See [28 U.S.C. § 1915\(a\)\(1\)](#) (providing that a court may authorize the commencement of a suit "without prepayment of *fees or security therefor*") (emphasis added). If Plaintiff requires copies of court documents, he should contact this court's clerk's office to determine the proper method for requesting and paying for copies.

IT IS THEREFORE ORDERED that: Plaintiff's "Motion to Attach Exhibits to Amendment" (Filing No. [21](#)) is denied.

DATED this 17th day of June, 2015.

BY THE COURT:

s/ John M. Gerrard
United States District Judge

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